

RESOLUTION NUMBER R-299843

ADOPTED ON NOVEMBER 15, 2004

WHEREAS, San Diego Spectrum Associates, LLC, Owner, and Greystone Homes, Inc., Permittee, filed an application with the City of San Diego for a planned development permit to construct 300 condominiums and 10,000 square feet of commercial space known as the Parkside Development Project [Project], located at the northwest corner of Lightwave Avenue and Overland Avenue in the IL-3-1 Zone, and legally described as All of Parcel 3 in the City of San Diego, County of San Diego, State of California, according to Parcel Map thereof No. 18553, filed in the Office of the County Recorder of San Diego County, September 25, 2000, as file No. 2000-511990 O.R. within the Kearny Mesa Community Plan area; and

WHEREAS, on September 16, 2004, the Planning Commission of the City of San Diego considered PDP Permit No. 20919, and pursuant to Resolution No. 3565-PC voted to recommend City Council approval of the Permit; and

WHEREAS, the matter was set for public hearing on November 15, 2004, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to Planned Development Permit No. 20919:

A. PLANNED DEVELOPMENT PERMIT-SDMC SECTION 126.0604

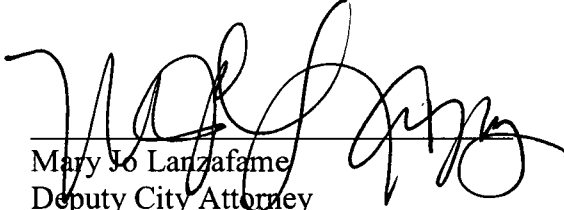
1. **The proposed development will adversely affect the applicable land use plan.** The proposed use, commercial/mixed use, which includes residential uses, is not compatible with a general commercial land use designation.

2. **The proposed development will not be detrimental to the public health, safety, and welfare.** The existing parks are not adequate to serve the proposed development.
3. **The proposed development will comply with the regulations of the Land Development Code.** The proposed development, commercial/mixed use, is not a permitted use in the general commercial zone.
4. **The proposed development, when considered as a whole, will be beneficial to the community.** The proposed development, which includes residential uses, should not be located adjacent to more heavy commercial and industrial uses.
5. **Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.**

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is overruled, and Planned Development Permit No.20919 is denied.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By


Mary Jo Lanza
Deputy City Attorney

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R-2005-1033
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